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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/618,093	07/11/2003	John Boyle	WEAT/0403	3821
7590 William B. Patterson MOSER, PATTERSON & SHERIDAN, L.L.P. Suite 1500 3040 Post Oak Blvd. Houston, TX 77056			EXAMINER BEATCH, THOMAS A	
			ART UNIT 3671	PAPER NUMBER
			MAIL DATE 09/03/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/618,093

Applicant(s)

BOYLE, JOHN

Examiner

THOMAS A. BEACH

Art Unit

3671

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 August 0819.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 83-118 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 83-118 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 98-113 are rejected under 35 U.S.C. 102(e) as being anticipated by Amin et al 6,536,528. Amin shows the method of intervening in a pipeline 16 that transports fluid from an offshore well 11 to a location 100, the method having connecting a first tubular 18 between a floating vessel and the pipeline; diverting fluid through the first tubular to a storage site on the floating vessel; connecting a second tubular 18 between the floating vessel and the pipeline; and intervening in the pipeline through the second tubular while fluid is diverted to the floating vessel 20 via the first tubular.

As concerns claims 99-103 and 109, Amin shows the system capable of removing a pig stuck in the pipeline, descaling the pipeline, removing paraffin from within the pipeline, repairing damage to the pipeline and lowering a coiled tubing into a tap 50/18 in the pipeline (col. 2, lines 38+).

As concerns claims 104 and 110, Amin shows the coiled tubing is lowered through a moon pool positioned proximate the storage site (fig 1).

As concerns claims 105 and 111, Amin shows the coiled tubing is lowered through a skid deck positioned proximate the storage site (fig 1).

As concerns claims 106 and 112, Amin shows intervening in the pipeline occurs downstream with respect to initial fluid flow through the pipeline to the location from the diverting of the fluid flow to the storage site (fig 1).

As concerns claims 107 and 113, Amin shows intervening in the pipeline comprises removing blockage of the fluid flow within the pipeline (col. 2, lines 38+).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 83-95, 97 and 115-117 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amin et al 6,536,528 in view of Hicks 6,012,878. Amin shows the elements of claims 83-97, above in the rejection of claims 98-188, but does not show inserting a tap into the existing pipeline and diverting fluid through the tap. However, Hicks show a similar subsea pipeline where inserting a tap into the existing pipeline and diverting fluid through the first and second taps 20 & 28 (claims 74 and 81) to obviate a damaged portion 12 of the pipeline (fig 1) that will may get a pig stuck (claims 14, 51, 62, 70 and 78; col. 4, lines 20+) causing blockage between the well and storage site (claim 73) capable of having coiled tubing inserted. Therefore, it would have been

obvious to one of ordinary skill in the art at the time the invention was made to modify Amin, as taught by Hicks, to include the hot tap for the expected result of being able to quickly and effectively fix damage to the subsea pipeline after in position, thus preventing extensive costs and long down time and the expected result of improve access by making new taps using this tool.

5. Claims 96 and 114 are rejected under 35 U.S.C. 103(a) as being unpatentable over Amin et al 6,536,528 and/or Hicks 6,012,878, as applied to claims 83 and 108 above, further in view of Hansen EP 1184537. The combination does show chemical injection (Amin; col. 2, lines 47+), but does not show injecting acid via coiled tubing; however, Hansen shows a similar passage clearing device similar to Amin/Hicks having the feature of injecting an acid to remove blockages (scaling) and stimulating the well, thus rendering this method as well known in the petroleum art in which risers and coiled tubing are functional equivalents. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the combination, as taught by Hansen, to include coiled tubing injection to improve the versatility of the apparatus of removing blockages by having alternate means to perform this operation at remote locations.

Response to Arguments

6. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Beach whose telephone number is 571.272.6988. The examiner can normally be reached on Monday-Friday, 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 571.272.6998. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas A. Beach

/Thomas A Beach/
Primary Examiner, Art Unit 3671

September 4, 2008

THOMAS A. BEACH
Primary Examiner
Group 3600